

U.S. Patent Application Serial No. **10/577,128**
Response to OA dated January 25, 2008

REMARKS

Claim 2 has been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. Support for the amendment is found at least at paragraph [0055], lines 3-6. Applicant respectfully submits that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **January 25, 2008**.

In the Office Action, Claim 2 is objected to because of a grammatical error. Claim 2 has been amended in a manner to overcome this objection and removal of the objection is respectfully requested.

The Office Action alleges that Claim 2 recites that the device "can shift the suture thread from a position on the operating surgeon's side to a position remote from the operating surgeon". The claim does not give an indication where the boundary of the operating surgeon's side is, nor of what it is a side. Additionally, this language makes it unclear what position may be considered remote from the surgeon.

Claim 2 has been amended in a manner to overcome this objection and removal of the objection is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

In the Office Action, Claim 2 is rejected under 35 U.S.C. § 102(b) as being anticipated by Mangum (U.S. Patent No. 5,397,326). Reconsideration and removal of the rejection are respectfully

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requested in view of the present amendment to Claim 2 and the following remarks.

The Office Action alleges that Mangum discloses a suture thread shifting device in FIG. 1 and the device is capable of having a suture thread engage the front edge, and in doing so, is capable of shifting the suture thread from a position on the operating surgeon's side to a position remote from the operating surgeon, the front edge is bisected, the lengths of the bisected portions are different from each other, and the surfaces of the bisected portions are smoothly curved.

It is respectfully submitted that the device of Mangum, in particular the lengths of the bisected portions, is being mischaracterized. Mangum does not disclose that the lengths of bisected portions are different, as presently claimed. In FIG. 1 a perspective view, it may appear as though the bisected portions are different lengths. However, it is because there is an angle between the "finger members" and the main body (102). Such arrangement is disclosed at column 3, lines 32-35 of Mangum. There is no mention in the text of Mangum that the bisected portions are different in length from each other. Also, Mangum does not disclose that formation of the different length of bisected portions makes it possible to catch or disengage the suture thread by rotating the suture thread shifting device. In view of the amendment to Claim 2 and the above remarks, removal of this rejection is respectfully requested.

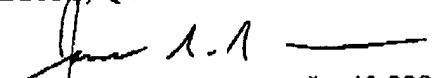
In view of the aforementioned amendments and accompanying remarks, Claim 2, as amended, is believed to be patentable and in condition for allowance, which action, at an early date, is requested.

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In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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